

FILED

at ___ O'clock & ___ min ___ M

JAN - 3 2006

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

United States Bankruptcy Court
Columbia, South Carolina 29201

IN RE:

Wilhemenia Ford,

Debtor.

C/A No. 00-09738-W

ORDER

Chapter 7

ENTERED

JAN - 3 2006

S.R.P.

This matter comes before the Court pursuant to correspondence filed by Debtor on November 28, 2005, seeking clarification as to why her case was dismissed in 2001 without Debtor having been issued a discharge in 2001. Based upon the Court's record, it appears that on November 7, 2000, an Order Granting Application to Pay Filing Fee in Installments was issued. Debtor attended her 11 U.S.C. § 341 meeting and a Report of No Distribution was filed by the Chapter 7 Trustee on December 1, 2000. On January 5, 2001, the Court entered an Order Dismissing Debtor's Case for failure to pay an installment fee. Debtor's case was subsequently closed on January 17, 2001. It appears that, due to an error upon the opening of the case, Debtor's address was incorrectly set forth in the Court's database. As a result, certain notices and orders, including an Order Granting Debtor's Application to Pay Filing Fee in Installments and the Order of Dismissal for Failure to Pay Filing Fee, were mailed to Debtor at an incorrect address. Debtor subsequently paid all filing fees due on February 15, 2001.

This Court reopened Debtor's case based upon Debtor's correspondence and will treat Debtor's request as a motion to reconsider the Court's dismissal order pursuant to 11 U.S.C. § 105 and Federal Rule of Bankruptcy Procedure 9024(b)(6).¹ Debtor indicates that she continues to need

¹ Federal Rule of Bankruptcy Procedure 9024(b)(6) provides that the Court may relieve a party from an order for any reason justifying relief from the operation of the judgment. Such motion is to be made within a reasonable time. Debtor appears to have filed her motion as soon as she learned that her case was dismissed without a discharge when she was attempting to obtain credit and therefore, based on her discovery and the fact that certain notices and Orders were mailed to Debtor at an incorrect address, the Court will reconsider the dismissal.

the relief afforded by a discharge under Chapter 7.

Based upon the circumstances set forth above, and the representations made by Debtor at the hearing, it is hereby

ORDERED that the Order Dismissing Debtor's Case entered January 5, 2001 is hereby vacated.

AND IT IS SO ORDERED.

Columbia, South Carolina
1/3, 2006


UNITED STATES BANKRUPTCY JUDGE